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Attorneys for Plaintiff Antonio S. Camacho

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

ANTONIO S. CAMACHO

Plaintiff,

vs.

**COMMONWEALTH OF THE
NORTHERN MARIANA ISLANDS,
DEPARTMENT OF PUBLIC LANDS,
successor to the Marianas Public Lands
Authority, and DEPARTMENT OF
PUBLIC WORKS,**

Defendants.

) **CIVIL CASE NO. 05-0043**

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**DECLARATION IN SUPPORT
OF MOTION FOR A WRIT OF
EXECUTION OR FOR AN ORDER
IN AID OF JUDGMENT**

Date: August 28, 2008

Time: 8:00 a.m.

I, Michael W. Dotts, declare and state under penalty of perjury, as follows:

1. I am an attorney licensed to practice in the Commonwealth of the Northern Mariana Islands. I represent Plaintiff Antonio S. Camacho in the above captioned matter. I make this declaration upon personal knowledge.

1 2. On December 8, 2006, the Court issued its Judgment in favor of Plaintiff and
2 against Defendants. The Court ordered that Plaintiff shall recover from Defendants the amount
3 of \$239,397.00 and the costs of suit.
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6 3. On December 22, 2006, the Court awarded costs to Plaintiff in the amount of
7 \$1,352.50.
8

9 4. On January 8, 2007, Defendants filed a Notice of Appeal.
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11 5. On August 27, 2007, the United States Court of Appeals for the Ninth Circuit
12 dismissed Defendants' appeal. The Judgment was now final.
13

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15 6. In October, 2007, my client returned to Saipan to personally lobby the Legislature
16 to appropriate funds to pay the Judgment. My client advised he was repeatedly promised that the
17 money would be appropriated. I attended one meeting with legislators and I heard their
18 promises that they would appropriate the money. Despite repeated promises, no legislation was
19 ever passed to pay the Judgment in this matter. My client finally gave up on the Legislature and
20 returned to his home in Seattle in April, 2008.
21

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23 7. Defendants have failed and refused to pay any part of the Judgment.
24

25 8. Defendants will be in arrears in the total amount of \$261,286.09 as of August 28,
26 2008 which includes the judgment amount of \$239,397.00, costs of \$1,352.50, and 4.95 % post
27 judgment interest of \$20,536.59. *See Summary of Amounts Due attached as Exhibit "A."*
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1 9. The 4.95% post judgment interest was calculated from the date of entry of
2 judgment, at a rate equal to the weekly average 1 year constant maturity Treasury yield, as
3 published by the Board of Governors of the Federal Reserve system, for the calendar week
4 preceding the date of the judgment, pursuant to 28 USC § 1961. *See published interest rates*
5 *attached as Exhibit "B."*
6

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8 10. Plaintiff has incurred attorney fees and costs in bringing this motion. Plaintiff
9 requests that a reasonable amount be added to the Judgment to account for these fees and costs.
10

11 11. This Declaration supports Plaintiff's Motion for a Writ of Execution or for an
12 Order in Aid of Judgment against Defendants in this matter. I believe that the Department of
13 Public Lands has deposits in different banks in the Commonwealth because the department
14 collects revenue from the lease of public land. If a writ is issued allowing the Plaintiff to
15 withdraw from any accounts found in the name of the Department, it will then be possible for the
16 Plaintiff to collect.
17

18
19 12. Unless this Court issues a writ or otherwise orders that the Defendants pay the
20 Judgment, my belief is that the Defendants will never honor this Court's Judgment.
21

22
23 I declare upon penalty of perjury under the laws of the Commonwealth of the Northern
24 Mariana Islands and the United States of America that the foregoing is true and correct to the
25 best of my knowledge and belief, is based upon my personal knowledge, except where otherwise
26 stated, and that if called upon to testify, I could and would testify competently and in accordance
27 herewith.
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1 Dated this 24th of July, 2008 in Saipan, CNMI.

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4 /s/
Michael W. Dotts

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